

2005 (79R) HB 1706 HOUSE CALENDAR, 2ND READ 5/2/05

Transcribed by Lynne M. Rodriguez, CSR



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1 THE CLERK: HB 1706 by Denny, relating to
2 requiring a voter to present proof of identification.

3 SPEAKER: The Chair recognizes Ms. Denny.

4 REP. DENNY: Thank you, Mr. Speaker.
5 Members, House Bill 1706 would require voters to provide
6 proof of identification when offering to vote in person
7 so that we preserve the integrity of the election
8 process ensuring the voters who are who they say they
9 are.

10 This bill has been misunderstood so to make it
11 easier, I provided each member with a legal size handout
12 that highlights the differences between the proposed
13 bill and current law and walks you through the different
14 voting scenarios, and I think if you review these,
15 you'll notice that the changes are not substantial but
16 I'm happy to answer any questions.

17 REP. BURNAM: Mr. Speaker, would the lady
18 yield?

19 REP. DENNY: I will.

20 SPEAKER: The lady yields.

21 REP. BURNAM: Good afternoon, Chairwoman.

22 REP. DENNY: Good afternoon.

23 REP. BURNAM: I know that you have a lot
24 of experience in this area and I will ask you a couple
25 of questions about it. You know that I represent an



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1 inner city district in Fort Worth. Are you aware that
2 in my primary election, over half the voters that
3 bothered to participate are senior citizens?

4 REP. DENNY: I did not though that but
5 I'll certainly take you word for it.

6 REP. BURNAM: Did you know that not only
7 is that the case for primaries but it is also the case
8 for city elections and school board elections in my
9 community.

10 REP. DENNY: Good for them.

11 REP. BURNAM: Actually it's bad for them,
12 because when you only have 5 to 6 percent of the people
13 bothering to participate in either primary or in
14 municipal elections or school board elections, and an
15 even smaller percentage of them bothering to participate
16 in water district elections, you really have to be
17 concerned, don't you, about the level of participation
18 in the electoral process?

19 REP. DENNY: You're right.

20 REP. BURNAM: Are you aware, Ms. Denny,
21 that virtually every member of this floor has received a
22 letter from the AARP talking unfavorably about your
23 bill?

24 REP. DENNY: Yes, and I find that
25 somewhat remarkable since so many of our elderly voters



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1 are able to take advantage of early voting by mail, and
2 this bill does nothing to touch any of the requirements
3 of that convenience.

4 REP. BURNAM: I don't know what your
5 experience is in your district. In my district, I many
6 times find that senior citizens prefer the social
7 interaction of being able to go to their polling place
8 and seeing their friends of 15, 20, 30 years, and it's
9 kind of a community event. Some of them go down at the
10 same time so they can say "Hello." Is that not your
11 experience?

12 REP. DENNY: Well, sometimes I suppose
13 that's true.

14 REP. BURNAM: Well, Ms. Denny, would it
15 surprise you to know that in the AARP letter, it
16 suggests that your bill, HB 1706, will impose the modern
17 version of a poll tax because it will force elderly,
18 retired and disabled voters to purchase and furnish
19 official documents such as birth certificates,
20 passports, driver's license, or government identity
21 cards as a prerequisite to registering or casting a
22 ballot? Shouldn't that be of concern to people?

23 REP. DENNY: Well, Mr. Berman, I just
24 think that that's not the case at all. It is so
25 difficult in this day and age to understand how anyone



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1 does not have some form of photo ID or two forms of non
2 photo ID. You cannot get along in this world and not
3 have identification to show who you are to exist, to do
4 any type of banking or purchasing or --

5 REP. BURNAM: Ms. Denny, you have never
6 been poor or elderly in the inner city, have you?

7 REP. DENNY: Well, I'm getting elderly.

8 REP. BURNAM: Well, we're all getting
9 older by the day, but I doubt seriously -- I mean, we're
10 all filing our ethics reports today. I doubt seriously
11 we'll find that you're poor or elderly or in the inner
12 city, and that's the people I'm here representing today.

13 REP. DENNY: And I understand that, and
14 for the poor and the elderly, there are many forms of
15 identification, including mail, for the assistance
16 checks and government forms of ID and mail that are
17 available. It is a very long and liberal list,
18 Mr. Berman.

19 REP. BURNAM: Ms. Denny, are you aware
20 that the last sentence of that last paragraph says,
21 "Voter identification requirements will negatively
22 impact thousands of AARP, two million members in Texas,
23 especially those who have voluntarily given up their
24 right to drive."

25 Historically, many senior citizens, the only



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1 photo ID that they have is their driver's license, and
2 has been recommended frequently by their doctor, they've
3 given up these photo ID's and they have no photo ID's.
4 So do you really think that in this day and age, it's
5 appropriate to, based on nothing that's been
6 substantiated as far as the need for this legislation,
7 to move forward and to actually impose a new form of
8 poll tax on our senior citizens?

9 REP. DENNY: Well, I disagree with you
10 that it's a poll tax, and I do agree that most people
11 have a form of photo ID. DPS also issues to people a
12 photo ID that is not a driver's license, and this bill
13 provides free of charge to anyone who's willing to sign
14 an affidavit that they need assistance and cannot afford
15 one, one will be issued free of charge for them.

16 REP. BURNAM: Well, what I know is the
17 AARP is against this bill. They've made this
18 information available to all of us, and I'm with them.
19 Thank you.

20 REP. DENNY: Thank you.

21 SPEAKER: For what purpose, Mr. Coleman?

22 REP. COLEMAN: Would the gentlewoman
23 yield?

24 REP. DENNY: I certainly do, Mr. Coleman.

25 REP. COLEMAN: Thank you, Chairwoman



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1 Denny. There's a provision in this bill that deals with
2 provisional voting, and it appears that the new rules or
3 law that you lay out here would direct people into
4 provisional voting, so if somebody went in with the same
5 ID that they had now going into the ballot box, they
6 showed up with their voter registration card and if they
7 didn't have the two pieces of mail, like electric bill
8 or like a gas bill, or a picture ID, their ballot would
9 now become a provisional ballot, is that not correct?

10 REP. DENNY: That is correct. You have
11 to show who you are.

12 REP. COLEMAN: Well, tell me what's wrong
13 with the system that says that we have to show that ID
14 with our voter registration card. It would create more
15 provisional ballots.

16 REP. DENNY: Because we want to make sure
17 that you are the person that is voting the ballot and
18 you are who you are.

19 REP. COLEMAN: Well, we went through a
20 situation here where we had an election contest and it
21 was shown that with all of those voters on the biggest
22 election day in the last four years, that there was no
23 voter fraud.

24 REP. DENNY: Well, that's not exactly
25 accurate, Mr. Coleman. And we have instances where we



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1 have had, for the years that I've been on the elections
2 committee, we have had hearings across this state where
3 we have had stories and documentation of people showing
4 up sometimes multiple times with different voter
5 registration cards and voting in different precincts.

6 REP. COLEMAN: You have a provision in
7 this bill that says that if you come in and that
8 scenario happens, you don't have a picture ID or two
9 ID's that are equivalent to a gas bill or phone bill,
10 that you have to go -- if you want your provisional
11 ballot made into a non-provisional ballot, that you have
12 to go to the central election agency, the Board of --
13 Early Vote Board, up to five days after the election to
14 have your ballot certified that you are you, is that
15 right?

16 REP. DENNY: That's correct. If you
17 don't show up with your ID and you have one and you want
18 your vote to count, then you can show up with your ID or
19 two forms of ID.

20 REP. COLEMAN: How do we determine if a
21 provisional ballot counts now?

22 REP. DENNY: Well, there are --
23 The instances in which your ballot counts or
24 do not count are printed on the back of the provisional
25 ballot envelope where that ballot takes place.



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1 REP. COLEMAN: Exactly right. And so who
2 determines that?

3 REP. DENNY: The central counting
4 station, the ballot board.

5 REP. COLEMAN: Are they having a hard
6 time doing it?

7 REP. DENNY: No.

8 REP. COLEMAN: Then why are we changing
9 the rules? Thank you, Ms. Denny.

10 REP. DENNY: Thank you. We're changing
11 them because there are instances in which that needs to
12 be determined.

13 Hello.

14 SPEAKER: For what purpose, Mr. Strama?

15 REP. STRAMA: To ask the lady a few
16 questions.

17 REP. DENNY: I certainly will.

18 SPEAKER: The lady yields.

19 REP. STRAMA: Thank you, Ms. Denny.
20 Let's talk about why this bill was filed. What exactly
21 is the problem that you're trying to solve?

22 REP. DENNY: Well, Mr. Strama, thank you,
23 for asking. We have instances in this state that we
24 have voter fraud, and I think it is so important that
25 your vote be safeguarded and that you are the one that



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1 is actually casting that vote.

2 REP. STRAMA: Did the committee hear
3 specific testimony about specific cases of voter fraud?

4 REP. DENNY: We have. We did and we
5 have.

6 REP. STRAMA: Could you cite a couple of
7 those examples?

8 REP. DENNY: Well, as I just told
9 Mr. Coleman, we have had, in the past, testimony
10 throughout this state of persons casting ballots and
11 showing up with voter registration cards and they were
12 not who were the people casting those ballots.

13 In this last election, it was interesting, I
14 was just talking to the Secretary of State, where they
15 had persons who have been dead. You know, the same old
16 stories we've heard for years, dead people casting
17 ballots.

18 Now if that person has to show up and show a
19 photo ID or two forms of current ID, non-photos, the
20 dead people won't be voting any longer.

21 REP. STRAMA: You know that for the past
22 five years in the private sector, I've worked on voter
23 registration data base technology.

24 REP. DENNY: I'm aware of it.

25 REP. STRAMA: Worked with election



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1 officials?

2 REP. DENNY: Yes, sir.

3 REP. STRAMA: The only comprehensive
4 study I'm aware of that study the race, you know the
5 evidence that we always hear anecdotally about dead
6 people casting ballots was the state of Georgia's post
7 election 2000 report, in which they identified that when
8 there were news reports immediately following the
9 election, that potentially hundreds of dead people had
10 voted, and when the Secretary of State actually went and
11 the audited every single one of those cases, they
12 ultimately found there was only one case where a dead
13 person had voted and it was a dead person who had
14 actually voted while they were living and voted
15 absentee. Are you aware of that study?

16 REP. DENNY: I am aware of that study in
17 Georgia. However, I know our situation here in Texas is
18 somewhat different.

19 REP. STRAMA: Do you believe that
20 homeless people should be allowed to vote?

21 REP. DENNY: Absolutely.

22 REP. STRAMA: How would a homeless person
23 meet the requirement of this legislation?

24 REP. DENNY: Very easily. They can get a
25 photo ID from DPS.



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1 REP. STRAMA: How much does a photo ID
2 cost?

3 REP. DENNY: It's free when you sign this
4 affidavit that you need one and are unable to pay for
5 it.

6 REP. STRAMA: So in addition to
7 registering to vote, the requirement to vote for a
8 homeless person would be that they also go to DPS and
9 get a photo ID beyond the requirement of registration?

10 REP. DENNY: That's correct, but I don't
11 know how they can get by with getting any of the
12 benefits that they have. They could get a photo ID.
13 There are also many other forms of identification, and I
14 would assume a homeless person is also receiving
15 benefits, Medicaid, and those types of things, and the
16 ID card that is issued for Medicaid is certainly one of
17 those forms of ID that is on the acceptable list, which
18 I passed out to everyone here. Those are available free
19 of charge. A library card, which is free of charge.
20 Homeless people are certainly able to obtain those.

21 REP. STRAMA: You're aware that when the
22 Help America Vote Act was passed, this ID requirement
23 was one of the most significantly debated portions of
24 that legislation, are you not?

25 REP. DENNY: I am aware of that.



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1 REP. STRAMA: Did you know that I was in
2 the house gallery when the bill was passed?

3 REP. DENNY: No, I didn't.

4 REP. STRAMA: It was a pretty exciting
5 experience.

6 REP. DENNY: I bet it was.

7 REP. STRAMA: And I was very involved in
8 a lot of the negotiations on that bill. This particular
9 component of it was of particular interest to Senator
10 Bond of Missouri because Senator Bond alleged that there
11 had been widespread voter fraud in the state of
12 Missouri's election in the 2000 election, and what he --
13 and as the most outspoken advocate for stronger ID
14 requirements, are you aware that the Help America Vote
15 Act prescribes specific requirements such as
16 demonstration of photo ID the first time a mail-in
17 registrant goes to vote at the polling place, are you
18 aware of those requirements?

19 REP. DENNY: Absolutely.

20 REP. STRAMA: Do you agree that this bill
21 goes beyond the requirements of the Help America Vote
22 Act?

23 REP. DENNY: Yes, it does, and several
24 other states have joined in what we're trying to do here
25 in Texas and have already put in effect more stringent



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1 requirements.

2 REP. STRAMA: Would you agree that the
3 state's obligations in conducting elections are to
4 ensure that every registered voter is allowed to vote
5 and no one is allowed to vote more than once?

6 REP. DENNY: Yes, I would.

7 REP. STRAMA: Would you agree that we
8 ought to err on the side of inclusion when we know that
9 we have a problem with voter participation and we cannot
10 document a widespread statistically significant problem
11 with voter fraud of the nature you're describing, would
12 you feel that we ought to err on the side of inclusive
13 and accessible election procedures?

14 REP. DENNY: I feel, Mr. Strama, that we
15 need to maintain the integrity of our election process,
16 and when people feel that their vote can be stolen from
17 them by someone other than themselves voting that, that
18 we need to take every precaution to make sure that they
19 are the ones that are voting their ballots.

20 REP. STRAMA: But you know that, of
21 course, if you go and vote your ballot and someone else
22 tries to vote your ballot, that person will be
23 identified, that the software and the election process
24 flags that you voted, and if you try to vote twice, it's
25 identifiable to the election officials?



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1 REP. DENNY: Well, one would certainly
2 hope so. However, we have people that do show up on
3 election day that have been notified that they have
4 already voted somehow during early voting and we're
5 trying to figure out how to put a stop to that, and
6 certainly if they have to show up with a photo ID, that
7 will help.

8 REP. STRAMA: You're aware that when we
9 vote by mail, we're not required to show photo ID, is
10 that correct?

11 REP. DENNY: Unless it's the first time.

12 REP. STRAMA: Unless it's the first time?

13 REP. DENNY: That's correct.

14 REP. STRAMA: So your bill applies by
15 mail?

16 REP. DENNY: That's correct, at this
17 time.

18 REP. STRAMA: Well, would you expect to
19 come back here and apply these standards to absentee
20 ballots by mail?

21 REP. DENNY: I don't know. We'll see how
22 this goes.

23 REP. STRAMA: I asked a question a moment
24 ago. Do you feel we should err on the side of inclusion
25 and accessibility when it comes to this question; when



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1 we weigh the ballots between the fact that fewer than 50
2 percent of eligible voters participate in our elections
3 and we have some undocumented, unquantified amount of
4 voter fraud that we can't really substantiate, don't you
5 feel we ought to err on the side of inclusion and
6 accessibility?

7 REP. DENNY: And I answered that by
8 saying I think it's most important that we ensure the
9 integrity of maintaining that you are the one that votes
10 your ballot. I think that that is of the utmost
11 importance.

12 REP. STRAMA: My last question. When
13 this bill is implemented, we will have a lot of people
14 going to the polls without the identification
15 requirements in this bill, and I wonder if you have any
16 plan for how we transition to the new requirement?

17 REP. DENNY: I don't think that -- I
18 don't think that that will be the case, Mr. Strama. I
19 think that there will be a huge voter education program
20 in place to notify voters of the requirements of the ID
21 so that no one will not know of this new requirement.

22 REP. STRAMA: Are we appropriating state
23 fund for that voter education requirement?

24 REP. DENNY: The Secretary of State's
25 office uses private funds. I have spoken with our new



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1 Secretary of State and he is, has already embarked on a
2 effort to raise private funds to do all the voter
3 education necessary to improve voter turn-out,
4 regardless of what bills we pass in this legislative
5 session, to do the utmost to get 100 percent voter
6 participation.

7 REP. STRAMA: Thank you for answering my
8 questions.

9 REP. DENNY: Thank you, Mr. Strama.

10 REP. BROWN: Mr. Speaker?

11 SPEAKER: For what purpose?

12 REP. BROWN: Will the lady yield?

13 REP. DENNY: I certainly do.

14 SPEAKER: The lady yields.

15 REP. BROWN: Did I share with you the
16 incident we had in one of my counties this past time
17 with someone voting multiple times?

18 REP. DENNY: I don't believe so,
19 Ms. Brown.

20 REP. BROWN: Well, I'd like to let you
21 know about that because I think it has a great bearing
22 on what you're trying to do today. Someone was in line
23 and bragging about the fact that she had voted three
24 times that day. She was going around and picking up the
25 voter registration cards from different people that she



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1 knew and then going to the polls and voting for that
2 person, and she thought she was really doing a great
3 service. But anyway, we stopped that, but we were only
4 able to stop it after she had cast three or four votes,
5 so this was to take care of it.

6 And one other thing I wanted to point out. Do
7 you know how many of our judges and alternate judges and
8 clerks at the polls are senior citizens?

9 REP. DENNY: Oh, many, many are senior
10 citizens.

11 REP. BROWN: I was thinking I read
12 somewhere over 80 percent are serving in that capacity.
13 So I feel like that AARP didn't poll our election
14 workers or they would have known, because those people
15 who hold the elections know how difficult it is to make
16 sure that the people who are voting are indeed qualified
17 to do so. In fact, I know someone who worked as a judge
18 that asked for ID one day and this lady started pulling
19 out ID and she said, "Well, which one do you want?" She
20 had about four or five identifications under different
21 names in her purse.

22 REP. DENNY: Oh, my.

23 REP. BROWN: So it would solve that.

24 Thank you very much.

25 REP. DENNY: Thank you very much, and



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1 thank you for sharing that story because that does point
2 out exactly why we need this legislation.

3 REP. BROWN: I think this bill is long
4 overdue. Thank you.

5 REP. DENNY: Thank you very much,
6 Ms. Brown.

7 REP. WOOLLEY: Mr. Speaker.

8 SPEAKER: For what purpose, Ms. Woolley?

9 REP. WOOLLEY: Will the lady yield?

10 REP. DENNY: I certainly do.

11 SPEAKER: The lady yields. Just about
12 one minute.

13 REP. WOOLLEY: Ms. Denny, I don't
14 believe it's too much to ask people to be able to prove
15 who they are if they're going to vote, do you?

16 REP. DENNY: No, ma'am, I don't.

17 REP. WOOLLEY: Wouldn't you say it's true
18 that every time a vote is cast fraudulently, it
19 disenfranchises those who have cast legal votes?

20 REP. DENNY: I certainly do, and I'm glad
21 you brought that up.

22 REP. WOOLLEY: And isn't -- doesn't your
23 bill have a provision for free picture voter IDs given
24 by DPS?

25 REP. DENNY: Oh, there are many, many



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1 forms of photo ID that are available, and certainly a
2 free one issued to anyone that shows need for that,
3 absolutely.

4 REP. WOOLLEY: Well, Ms. Denny, I think
5 you've got a fair bill, one that we all should be able
6 to support if we believe in legal voting and getting rid
7 of the fraud that's being perpetrated on our voting
8 system.

9 REP. DENNY: Thank you, Ms. Woolley. I
10 appreciate that.

11 SPEAKER: Mr. Kaufman raises a point of
12 order that the lady's time has expired. The point of
13 order is well taken and sustained.

14 REP. CHAVEZ: Mr. Speaker, I ask that the
15 lady's time be yielded. This is an important issue to
16 all of us.

17 SPEAKER: Ms. Chavez moves that the
18 gentle lady's time be extended. Is there objection?
19 Mr. Nixon objects.

20 REP. CHAVEZ: I'd like to raise it to a
21 vote.

22 SPEAKER: Members, there's a division
23 vote on Ms. Chavez's motion to extend time. All those
24 in favor, vote "I;" opposed, vote "Nay." Division
25 vote.



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1 Strike the board. Motion carries. The
2 time is extended. The lady yields.

3 REP. CHAVEZ: Thank you, Mr. Speaker.
4 Thank you, Chairwoman Denny. I appreciated our
5 conversation.

6 A couple of questions. On page four of your
7 bill, number 3, "A valid employee identification card
8 that contains the person's photo and is issued by a
9 employer of the person," would that also include a union
10 card?

11 REP. DENNY: Only if it's issued by the
12 employer.

13 REP. CHAVEZ: Okay. A union card is
14 usually issued by the union, so a union card photo ID
15 would not be acceptable.

16 REP. DENNY: I don't believe so,
17 Ms. Chavez.

18 REP. CHAVEZ: Okay. Did you know that
19 not all U.S. citizenship certificates contain the
20 person's photographs; the ones from 20, 30 years ago may
21 not have a photo?

22 REP. DENNY: Okay.

23 REP. CHAVEZ: Okay. And also, and I
24 spoke to you about this on other acceptable
25 documentation.



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1 REP. DENNY: Uh-huh.

2 REP. CHAVEZ: Could you clarify for me
3 that on page 5, line 7, "Identification card issued to a
4 person by a governmental entity of the state," will
5 include a federally qualified health center or an FQHC,
6 that that would be acceptable?

7 REP. DENNY: Right, that is a federally
8 issued medical card for benefits.

9 REP. CHAVEZ: Okay. So that would be
10 eligible?

11 REP. DENNY: That would be, uh-huh.
12 Whether it's a photo or non-photo ID, that would be
13 covered.

14 REP. CHAVEZ: And are you aware that many
15 elderly senior citizens don't have a driver's license
16 and haven't driven in 15, 20 years?

17 REP. DENNY: Yes.

18 REP. CHAVEZ: That they're in public
19 housing, high rises, and I've got -- I've got two public
20 housing senior high rises in my district and these
21 people have lived there 15, 20, 25 years, and they don't
22 have photo IDs.

23 REP. DENNY: Right.

24 REP. CHAVEZ: They definitely don't have
25 driver's license. They have a grocery store, you know,



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1 within walking distance, they go and buy their
2 groceries, they come back, and their life --

3 REP. DENNY: Right, and Ms. Chavez, you
4 don't have to have that photo ID, you just need two
5 forms of the photo ID and they'll have a Medicare or a
6 Medicaid card or mail where they receive a benefits
7 check, and those would work.

8 REP. CHAVEZ: But don't you agree that
9 this is going to be an obstacle that they haven't had to
10 do and that some of them are going to consider this as a
11 act of intimidation?

12 REP. DENNY: Oh, I wouldn't think so at
13 all. You know, if you prize your right to vote and you
14 don't want someone to steal that vote from you, just
15 taking the envelope that has your name on it, and I'm
16 assuming that they would carry their Medicaid card with
17 them just like we carry our forms of ID in our wallet.

18 REP. CHAVEZ: When you go vote, the new
19 immigrants, especially Mexican Americans, new, first
20 generation immigrants, have been subjected to laws like
21 Proposition 187 in California, which created a huge
22 under class of people and also a fear of the government
23 and a fear to have to present anything other than what
24 they need to. So they would see this as a deterrent or
25 an obstacle, an obstacle to voting because, all of a



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1 sudden, they want more information.

2 They're so fearful of losing their benefits,
3 of losing what they have. They became citizens, they
4 decided to play by the rules, and all of a sudden, they
5 have to provide information. Because I had this
6 situation when I worked on the John Kerry campaign in
7 New Mexico, okay, and even though it was New Mexico, she
8 was required to have a photo ID with her voter card and
9 she didn't have a photo ID. She never drove in her
10 life, and I asked her for -- in Spanish, she didn't
11 speak English. I asked her, "Do you have your Medicare,
12 your Medicaid card?" "No, no lo tengo." "Do you have
13 your Social Security card? "No tengo."

14 She said she didn't have a Social Security
15 card. So when she ate lunch at her nutrition program, I
16 asked her if I could go through her cards, and I said,
17 you know, (Speaking in Spanish,) and in those cards, she
18 had her Medicare, she had her Medicaid, but this is a
19 perfect example of people who do not know that they have
20 these things.

21 She doesn't run to the hospital, run to the
22 health center to get benefits. She didn't even know she
23 had a Medicaid card. So we are --

24 This bill, to me, definitely puts obstacles to
25 people, especially first generation immigrants to this



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1 country. You know, your elderly, elderly people, old
2 people are not accustomed to having to present this
3 thing and you are going to see them not coming to the
4 polls.

5 REP. DENNY: Well, when the first
6 generation Americans that are naturalized citizens go
7 through the class that they have to take to become
8 naturalized citizens, they are taught what is required
9 of being a U.S. citizen, and part of that, in Texas, is
10 when you vote, if this law becomes effective, in effect,
11 will be that you have to show a form of identification,
12 a photo ID or two forms of non-photo ID, just as you do
13 to conduct any other type of business, and it will just
14 become the way it is, and as you said, she had that form
15 of ID with her.

16 REP. CHAVEZ: She didn't know it though,
17 she didn't know.

18 REP. DENNY: She knew she had the --

19 REP. CHAVEZ: No, she did not know.

20 REP. DENNY: Oh, she didn't know.

21 REP. CHAVEZ: She did not. She said went
22 back and she said (Speaking in Spanish.) "I couldn't
23 vote, they didn't let me vote, I don't have the
24 necessary documents," and I sat down with her and I
25 said, "Let me go through your billfold," and I found



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1 them, and I said, "Yes, you do," and I took her back
2 into vote, okay.

3 That's labor intensive, okay. When we passed
4 federal legislation that took away food assistance to
5 legal immigrants, legal immigrants, okay?

6 REP. DENNY: Right.

7 REP. CHAVEZ: Thousands of them became,
8 hundreds of thousands of them became U.S. citizens,
9 okay, because they had worked, they had the work
10 requirement and they now were being subjected to
11 something, and I am talking about old people.

12 One of the seniors in my district who college
13 educated his kids by shining shoes in El Paso, he
14 finally, at 78, got his citizenship. These are real
15 people.

16 REP. DENNY: Of course.

17 REP. CHAVEZ: Okay, he doesn't have, he
18 didn't have those kinds of forms of ID. He didn't ever
19 drive. He just shined shoes and sent his kids to
20 school, and now you're going to sit there and put this
21 obstacle and require more documents.

22 REP. DENNY: But he has to have forms of
23 identification to get along in this world. And so he
24 will have to, if this bill goes into effect, have to
25 have forms of identification to vote, so he can show



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1 that he is who he says he is.

2 REP. CHAVEZ: I believe that elderly
3 people, elderly people are qualified at age 50 to become
4 members of AARP, and I believe out of respect for the
5 more than 2 million AARP members and elderly, that we
6 should exempt them from this requirement.

7 REP. DENNY: No, I disagree.

8 REP. CHAVEZ: And I have an amendment to
9 do that, and I would also like to talk to you a little
10 bit about the poll judges. Okay, you also have judges
11 who are going to interpret this, and I know, because I
12 have it in my district, they're going to interpret this
13 as you don't have a photo ID, you can't vote.

14 REP. DENNY: Ms. Chavez, let me refer you
15 to page 2, line 1 of the bill, where it says that the
16 voter shall be accepted. That means there is no subject
17 to interpretation by the poll workers. They will accept
18 every voter for voting.

19 REP. CHAVEZ: Provisional, okay.

20 REP. DENNY: For provisional. Yes; I
21 mean, we don't any longer have a challenged voter.

22 REP. CHAVEZ: I'm glad you brought that
23 up.

24 REP. DENNY: They can vote that ballot
25 provisionally.



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1 REP. CHAVEZ: Okay. So I do discussed
2 this --

3 REP. DENNY: And if they have the forms
4 of ID that are allowed and they're on the voter list,
5 that vote will be counted.

6 REP. CHAVEZ: I spoke to you, but you had
7 to come and lay out your bill, about an amendment that
8 would require that all polling places to have a list of
9 the acceptable documents.

10 REP. DENNY: Yes. To have that posted,
11 and I told you I would accept that amendment.

12 REP. CHAVEZ: Okay, and I could I add to
13 that under the section that you just stated that a
14 provisional voting ballot will be provided to anyone who
15 comes to vote and presents --

16 REP. DENNY: Well, let me see your
17 amendment.

18 REP. CHAVEZ: Okay.

19 SPEAKER: For what purpose, Mr. Jackson?

20 REP. JACKSON: Will the lady yield?

21 REP. DENNY: I certainly do.

22 SPEAKER: The lady yields.

23 REP. JACKSON: Ms. Denny, Representative
24 Bernham testified earlier, correctly, that AARP has two
25 million members in Texas and they oppose this. Are you



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1 aware I'm a member of AARP?

2 REP. DENNY: Yes, sir. Well, no, I'm not
3 aware you're a member.

4 REP. JACKSON: Yes, yes. You know, I bet
5 there are other members.

6 REP. DENNY: Assuming you're over 50, as
7 am I.

8 REP. JACKSON: And I bet there are other
9 people on the House floor that are members of AARP.

10 REP. DENNY: Oh, I bet there's one or
11 two.

12 REP. JACKSON: And I don't believe AARP's
13 position represents all of us. I know it doesn't
14 represent me.

15 REP. DENNY: I know it doesn't represent
16 me either, Mr. Jackson.

17 REP. JACKSON: And Representative Denny,
18 isn't there a section of the bill where DPS will issue
19 ID cards at no cost?

20 REP. DENNY: Absolutely, there certainly
21 is.

22 REP. JACKSON: So this is not a poll tax.
23 There's not any cost to doing this, qualifying to vote
24 under this bill.

25 REP. DENNY: No, you're exactly right.



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1 REP. JACKSON: Representative Denny,
2 let's think of some of the things you can't do without
3 an ID card. I rented a movie the other day and had to
4 show my driver's license.

5 REP. DENNY: I know it. That's correct.

6 REP. JACKSON: Went to a clinic. I had
7 to show them my driver's license.

8 REP. DENNY: Yes, sir.

9 REP. JACKSON: Got on an airplane, had to
10 show my driver's license. Drove a car and had to have a
11 driver's license. You know, us just have to have ID to
12 do near anything, don't you?

13 REP. DENNY: Yes, sir, you do.

14 REP. JACKSON: I think voting is so
15 important that it's not unreasonable to expect people to
16 ID themselves, don't you?

17 REP. DENNY: I do indeed.

18 REP. JACKSON: It's a good bill,
19 Mrs. Denny.

20 REP. DENNY. Thank you, Mr. Jackson. I
21 appreciate that.

22 REP. OLIVO: Mr. Speaker.

23 SPEAKER: Mr. Kaufman. I'm sorry,
24 Mr. Kaufman raises a point of order. The gentle lady's
25 time has expired.



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1 REP. OLIVO: Mr. Speaker, I --

2 SPEAKER: The order is well taken and
3 sustained.

4 REP. OLIVO: I request an extension of
5 time on this. This is an important issue. We need more
6 time on it.

7 SPEAKER: Ms. Olivo requests -- makes a
8 motion to extend time. Is there an objection? There is
9 objection.

10 REP. OLIVO: I'd like to vote on it.

11 SPEAKER: Okay. Members, this requires
12 unanimous consent. Is there objection? Yes, there is
13 objection. Following the amendment, the clerk will read
14 the amendment. We have 11 amendments, members, and
15 counting.

16 THE CLERK: Amendment by Chavez.

17 SPEAKER: The Chair recognizes
18 Ms. Chavez.

19 REP. CHAVEZ: Mr. Speaker, members, what
20 this amendment does is simply allows a voter over the
21 age of 50 to present his or her voter registration card
22 the way they always have. That's it. It's very
23 simple.

24 The 50 years old is when someone is eligible
25 to be a member of AARP, and out of respect for a



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1 generation who has dedicated their lives to a spot in
2 the armed services, who has given and been part of laws
3 that have been anti-discriminatory against minority
4 communities, we should give them the right to be exempt
5 at age 50.

6 SPEAKER: The Chair recognizes Ms. Denny
7 against the amendment.

8 REP. OLIVO: Members, Mr. Speaker.

9 SPEAKER: Yes, ma'am, for what purpose?

10 REP. OLIVO: Will the gentle lady yield?

11 SPEAKER: Do you yield for a question?

12 REP. DENNY: I'll yield.

13 SPEAKER: The lady yields.

14 REP. OLIVO: Representative Denny?

15 REP. DENNY: Yes, ma'am.

16 REP. OLIVO: I'm very concerned about
17 this particular legislation. Do you know that there's a
18 lot of people out there, like my father and my mother.
19 My father is 86, my mom is 84, and if I look at my mom
20 and I look at the requirement you have, you require,
21 according to your bill, on some of the ID's, you require
22 a driver's license or personal ID, right?

23 REP. DENNY: A photo ID, yes.

24 Ms. Olivo, I'm speaking against the amendment. I'm up
25 here to speak against Ms. Chavez's amendment.



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1 REP. OLIVO: Okay. Well, let me let you
2 do that, then I'll come back on.

3 REP. DENNY. Okay.

4 REP. OLIVO: Thank you.

5 REP. DENNY: Ms. Chavez's amendment would
6 exempt someone 50 years or older, and that defeats part
7 of the purpose of the bill, and so I would move to table
8 Ms. Chavez's amendment and ask you --

9 REP. URESTI: Mr. Speaker?

10 REP. DENNY: -- to vote yes on the
11 amendment. I mean, vote yes on the motion to table.

12 REP. URESTI: Mr. Speaker?

13 REP. DENNY: We need to --

14 SPEAKER: Mr. Uresti?

15 REP. URESTI: Will the gentle lady yield
16 for a question?

17 SPEAKER: Will you yield for a question?

18 REP. URESTI: On the amendment.

19 SPEAKER: The lady yields.

20 REP. DENNY: I do..

21 REP. URESTI: Thank you, Representative.

22 Denny. I have a question for you on the amendment.

23 Ms. Denny, did you read the HRO report that was put out
24 on this bill?

25 REP. DENNY: Yes.



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1 REP. URESTI: And did you disagree with
2 any of the aspects that were in the HRO report?

3 REP. DENNY: Yes, I do disagree.

4 REP. URESTI: Did you agree with the
5 portion of it that supports the bill?

6 REP. DENNY: No.

7 REP. URESTI: You didn't agree with the
8 portions related to the --

9 REP. DENNY: I do agree with the portions
10 that are supportive of the bill.

11 REP. URESTI: But you disagree, I assume,
12 with the portions that oppose your bill, correct?

13 REP. DENNY: On some of them.

14 REP. URESTI: Okay. Did you read the
15 part about, and this goes to Representative Chavez's
16 amendment, because we're talking about our senior
17 citizens, which, to me, includes a lot of our World War
18 II Veterans, but did you read the part about where it
19 reads, under the bill, the state of Texas could have the
20 distinction of throwing out the vote of a World War II
21 veteran on a technicality? Did you read that part?

22 REP. DENNY: Yes, I did, and I disagree
23 with that because I don't see how anybody's vote would
24 be thrown out?

25 REP. URESTI: So why would that be in



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1 this HRO report?

2 REP. DENNY: I don't know. Sometimes HRO
3 does not, I think, does not interpret the amendment
4 correctly.

5 REP. URESTI: So Representative Denny,
6 you do not agree that it's possible that somebody's vote
7 could be thrown out on a technicality?

8 REP. DENNY: No, I do not, because anyone
9 that shows up with the proper form of identification,
10 their bill -- I mean, their ballots will be cast and
11 voted and counted.

12 REP. URESTI: Last session, we worked on
13 the HAVA bill in your committee. I'm sure you remember
14 that well. And did you read in the part in this HRO
15 that states that this bill is inconsistent with the
16 federal HAVA laws? Do you agree with that statement?

17 REP. DENNY: It does go further. It's
18 not inconsistent, and Representative Uresti, a veteran
19 would have a government issued photo ID.

20 REP. URESTI: I'm sorry, I didn't hear
21 you.

22 REP. DENNY: A veteran would have a photo
23 ID.

24 REP. URESTI: Well, you're assuming they
25 haven't lost their ID.



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1 REP. DENNY: I'm sorry, I'm assuming
2 what?

3 REP. URESTI: You're assuming they
4 haven't lost their ID. And I think that's the whole
5 problem.

6 REP. DENNY: Well, they can get another
7 one.

8 REP. URESTI: But what if they lose it
9 the day before the election? See, that's the whole
10 problem, Representative Denny, respectfully, with this
11 bill.

12 REP. DENNY: Well, they have other forms
13 of ID.

14 REP. URESTI: There are a lot of
15 assumptions made in this bill that everybody carries
16 their wallet, everybody carries their purse, has all of
17 their ID, they're all current, and I think that's a
18 wrong assumption. In a perfect world, I think you're
19 correct, but we don't live in a perfect world, and I
20 think that's the problem that our Veterans all have
21 their IDs.

22 I can name you a number of Veterans that have
23 last their DV 214s, which is the most important record
24 that they should have, and they've lost them. Would you
25 agree with that statement?



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1 REP. DENNY: That does happen, yes,
2 indeed it does, but there are provisions for getting
3 another one.

4 REP. URESTI: You're right. But the
5 question then is, would they be able to get it in time
6 to vote, and that's the problem.

7 REP. DENNY: Early voting goes on for a
8 long period of time.

9 REP. URESTI: Have you ever tried to get
10 a military ID, Representative Denny?

11 REP. DENNY: No, sir, I haven't.

12 REP. URESTI: Okay. Do you have any idea
13 how long it would take to get a military ID?

14 REP. DENNY: But getting one from --
15 getting an ID from DPS, you can get the receipt that you
16 have applied for that or you can get that online or you
17 can get one in person, in one day, in a few hours.

18 REP. URESTI: How many senior citizens do
19 you think can get on the computer and get online and
20 order a DPS identification card?

21 REP. DENNY: Anyone that has computer
22 access, and that's available free of charge at a
23 library.

24 REP. URESTI: At the library, and that's
25 assuming they have transportation and they're not



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1 disabled, correct?

2 REP. DENNY: That is true.

3 REP. URESTI: And according to this HRO,
4 it appears that this bill would strip away many of those
5 opportunities that HAVA, the bill that you passed last
6 session, provided to our disabled Veterans, do you
7 realize that?

8 REP. DENNY: No, I don't believe that it
9 does.

10 REP. URESTI: I understand the intent of
11 your bill is to get to voter fraud, but do you not agree
12 that the end result is going to actually have the
13 adverse effect in that we're going to discourage or
14 hinder or prohibit more voters, more people from
15 exercising their most fundamental right?

16 REP. DENNY: I disagree with that.

17 REP. URESTI: Thank you, Representative
18 Denny.

19 REP. DENNY: Thank you, Mr. Uresti.

20 REP. GIDDINGS: Mr. Speaker?

21 SPEAKER: Yes, ma'am, for what purpose.

22 REP. GIDDINGS: Will the gentle lady
23 yield?

24 SPEAKER: Will you yield?

25 REP. DENNY: I yield.



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1 SPEAKER: The lady yields.

2 REP. GIDDINGS: Chairman Denny, let me
3 say from the very beginning that I have no doubt that
4 your intention and what you're trying to do are good
5 and honorable, but Chairman Denny, I think we have to
6 not look at your intentions as it relates to this bill
7 but that we have to look at the results of what this
8 bill will do, and as it relates to this particular
9 amendment before you, I do think that we ought to try
10 and make it as easy as possible for the elderly to vote.

11 Would you not agree with that?

12 REP. DENNY: Well, I think it's already
13 quite easy for the elderly to vote, Representative
14 Giddings.

15 REP. GIDDINGS: Well, you mentioned the
16 fact, Chairman Denny, that one can get this free
17 identification cards from the DPS. Many of our senior
18 citizens, I'm not sure that you're aware, do not have
19 the transportation and the where-with-all to get to the
20 office of the Department of Public Safety to get this
21 card. Are you aware of that?

22 REP. DENNY: I understand that it might
23 be more difficult for some than for others, yes.

24 REP. GIDDINGS: I think there's a
25 possibility that young people might be able to get



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1 through what you're trying to do here, again, realizing
2 what your intentions are, but looking at the results, I
3 think the results in terms of elderly people attempting
4 to vote, and many of them are so passionate about this,
5 we don't want to discourage them.

6 I think the result of this is that a lot of
7 elderly people are going to have great difficulty
8 voting, and may I just say, Representative Denny, as
9 much as you and I like to believe otherwise, there are
10 those people out there who would try to take away the
11 right of someone to vote. Are you aware of that?

12 REP. DENNY: I find that difficult to
13 believe, but I certainly will take your word for it.

14 REP. GIDDINGS: Well, I will tell you in
15 an upscale area where I vote, I have been in the line
16 with other people who have just had their voter
17 identification card and they have been allowed to vote,
18 and in that same line, upon occasion, in addition to my
19 voter registration card, I have been asked to present
20 photo ID, even though the person who was there at the
21 polls knew exactly who I was. Would you find that hard
22 to believe?

23 REP. DENNY: No, I certainly believe you,
24 if you tell me that, certainly.

25 REP. GIDDINGS: Well, those kinds of



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1 things do happen, and Representative Denny, I'm going
2 back to saying I have no doubt about your intentions,
3 that they're good and that they're honorable, but I am
4 very concerned about the results of what this bill will
5 do, particularly to the elderly. Thank you.

6 REP. DENNY: Thank you, Ms. Giddings.

7 MS. OLIVO: Mr. Speaker.

8 SPEAKER: Yes, Ms. Olivo, for what
9 purpose?

10 REP. OLIVO: Will the gentle lady yield?

11 SPEAKER: Do you yield?

12 REP. DENNY: I do.

13 SPEAKER: The lady yields.

14 REP. OLIVO: This amendment,
15 Representative Denny, would allow people 50 years and
16 older not to present all this identification you're
17 talking about, is that correct?

18 REP. DENNY: I'm sorry, could you say
19 that again, please?

20 REP. OLIVO: This amendment that
21 Ms. Chavez has in front of you would allow people that
22 are 50 years and older not to have to comply with all
23 this different types of identification that you're
24 saying that they need to take now to vote.

25 REP. DENNY: Yes, that's correct.



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1 REP. OLIVO: Well, you know, I mean, that
2 creates a real burden for people like my parents and
3 others that are in their 80s or older, or even 50 and
4 older, when they have to do, go through all this
5 rig-a-marole. You know, my parents have voted, my
6 parents have voted all their lives, one is 86 and one is
7 84, and there's a lot of people like that in the state
8 of Texas that have been voting diligently, and let me
9 tell you, do you know that there's evidence out there
10 that shows that generally people stop committing crimes
11 as they get older, so maybe my question is --

12 SPEAKER: Mr. Crabb raises a point of
13 order. The lady's time is expired. The point of order
14 is well taken and sustained.

15 REP. OLIVO: I would request an extension
16 at this time.

17 SPEAKER: Ms. Olivo has requested that
18 her time be extended. Is there objection? There is
19 objection.

20 REP. OLIVO: So can we vote on it?

21 SPEAKER: Ms. Olivo asks for time to be
22 extended. It is a division vote.

23 The division vote, members, on time extension.

24 Strike the board. Time is extended. The lady
25 yields.



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1 REP. OLIVO: Ms. Denny, this amendment,
2 don't you agree, is something that will take the load
3 off the people that you're trying to burden with your
4 particular bill right now?

5 REP. DENNY: Well, I'm not trying to
6 burden anyone.

7 REP. OLIVO: Well, that's what you're
8 doing.

9 REP. DENNY: I don't feel that it's a
10 burden, an undue burden to anyone to show who you say
11 you are, to show ID, and I certainly think 50 is not
12 elderly, even though AARP likes to open up their
13 membership to young folks 50.

14 REP. OLIVO: Well, maybe if we're talking
15 about ethics, we must be looking elsewhere. Thank you,
16 Ms. Denny.

17 REP. DENNY: Thank you.

18 REP. BRANCH: Mr. Speaker, does the lady
19 yield?

20 REP. DENNY: I certainly do.

21 SPEAKER: The lady yields.

22 REP. BRANCH: Thank you, Chairman. I am
23 puzzled at some of the questions I'm hearing, and I just
24 wanted to ask you, it seems to me whether we were
25 talking about the same bill, we had questions about and



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1 showing concern for the elderly and voting, and I've
2 worked a lot of polling stations, as you know, and I
3 think some of the best voters in terms of disciplined
4 voters are senior citizens, and they are, to me, very
5 concerned about voting on a regular basis. Has that
6 been your experience?

7 REP. DENNY: Absolutely, Mr. Branch.

8 REP. BRANCH: And it seems to most
9 concerned about the integrity of the ballot.

10 REP. DENNY: Absolutely.

11 REP. BRANCH: And they are often the
12 ones -- the best workers in terms of polling places are
13 often our seniors that take this civic duty so
14 passionately.

15 REP. DENNY: Absolutely, and I think it
16 was Representative Jackson or someone previously stated
17 that so many of our poll workers are senior citizens
18 that work so hard and give so much to this system.

19 REP. BRANCH: And it seems to me that
20 some of the questions out of this apparent concern, I'm
21 sure it is a legitimate concern, for our seniors, that
22 the questions seem to be, well, isn't this going to be
23 an additional burden, and you've tried to answer those
24 to suggest it's not.

25 REP. DENNY: Yes, I have tried.



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1 REP. BRANCH: And I mean, right now, I
2 guess it's a burden that one has to transport oneself to
3 a polling station, whether you vote early or on the
4 election day, isn't that correct?

5 REP. DENNY: It is.

6 REP. BRANCH: I mean, we don't allow
7 people to vote at home or over the Internet.

8 REP. DENNY: Well, you can vote from home
9 by mail if your over 65.

10 REP. BRANCH: Right.

11 REP. DENNY: And this bill doesn't touch
12 that provision in the least.

13 REP. BRANCH: Yes, if you choose an
14 absentee ballot route.

15 REP. DENNY: That's correct.

16 REP. BRANCH: But if you're going to vote
17 at the polls, you have to get up, you have to get
18 dressed, you have to find transportation. You have to
19 be responsible, right, you have to actually vote?

20 REP. DENNY: That's correct.

21 REP. BRANCH: In your bill, don't you
22 just call for either a photo ID, which you explained to
23 everyone that you can get free of charge.

24 REP. DENNY: That's correct.

25 REP. BRANCH: Or two other valid forms



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1 that are without photo.

2 REP. DENNY: That is correct.

3 REP. BRANCH: So if you don't have some
4 photo IDs, you've got other ways. If you don't have a
5 photo and you want one, you can get one free of charge.

6 REP. DENNY: That's correct, and the list
7 is extensive.

8 REP. BRANCH: But that actually takes
9 someone asking and thinking and being thoughtful and
10 responsible about their duty as a citizen so vote.

11 REP. DENNY: Right, but as you already
12 pointed out, you're dealing with the most responsible
13 and thoughtful citizenry that we deal with.

14 REP. BRANCH: And so therefore, they
15 would appreciate the fact that no one will be able to
16 defraud them of their vote because we have some sort of
17 minimal modest safeguards as to the integrity of
18 ultimately one of the highest rights in the democracy
19 that transfers powers to government.

20 REP. DENNY: That's the way I see it,
21 Mr. Branch.

22 REP. BRANCH: Thank you.

23 REP. DENNY: Thank you.

24 SPEAKER: For what purpose?

25 REP. GIDDINGS: Will the gentle lady



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1 yield?

2 REP. DENNY: I do, Ms. Giddings.

3 SPEAKER: The lady yields.

4 REP. GIDDINGS: Thank you, Chairman
5 Denny. I suppose I really want -- should have been
6 asking this question of Representative Branch but it is
7 a form of democracy, and let's just face it, one of the
8 reasons that this debate is so heated and people take it
9 so personally, I'm sure you're aware, are you not, that
10 for many years, people of color were denied this right?

11 REP. DENNY: Yes, ma'am, I certainly am.

12 REP. GIDDINGS: Many people died for this
13 right.

14 REP. DENNY: I know that, of course.

15 REP. GIDDINGS: And even women, for a
16 long time, did not have this right.

17 REP. DENNY: You're so right.

18 REP. GIDDINGS: And because this right
19 was such a hard fought battle, we take it very, very
20 seriously; and I think we should, don't you?

21 REP. DENNY: You bet we do, and
22 rightfully so.

23 REP. GIDDINGS: And as it relates to the
24 fact that people get up and get out and they can't vote
25 by the Internet, are you aware that in terms of senior



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1 citizens, which is my biggest concern, many times we
2 have rides to the polls for these senior citizens, do we
3 not?

4 REP. DENNY: Yes, we do.

5 REP. GIDDINGS: Yes, we do. Thank you.

6 REP. MORENO: Mr. Speaker.

7 SPEAKER: For what purpose, Mr. Moreno?

8 REP. MORENO: Will the member yield,

9 please?

10 REP. DENNY: I certainly do.

11 SPEAKER: The lady yields.

12 REP. MORENO: Ms. Denny.

13 REP. DENNY: Yes, sir.

14 REP. MORENO: Let me ask you some down to

15 life questions.

16 REP. DENNY: Yes, sir.

17 REP. MORENO: How old do you think I am?

18 REP. DENNY: I have no idea.

19 REP. MORENO: I turned 74 years old.

20 REP. DENNY: Good for you.

21 REP. MORENO: How long do you think I've

22 been voting?

23 REP. DENNY: How long have you been

24 voting?

25 REP. MORENO: Yes, ma'am.



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1 REP. DENNY: Since you were 21.

2 REP. MORENO: That's right. That's a
3 long time ago.

4 REP. DENNY: Yes, sir.

5 REP. MORENO: You have read about the
6 infamous poll tax.

7 REP. DENNY: Poll tax, yes, sir, of
8 course. I remember the poll tax.

9 REP. MORENO: All right. You never had
10 one in your life, did you?

11 REP. DENNY: No, sir.

12 REP. MORENO: I did, and did you know
13 that that poll taxes, back in those days, cost \$1.75,
14 and we're talking about 50, 60 years ago, \$1.75 was a
15 lot, a lot of money.

16 You believe that, do you not?

17 REP. DENNY: I certainly do.

18 REP. MORENO: Do you know that the poll
19 tax did not have a picture?

20 REP. DENNY: I don't know but I'll take
21 your word for it.

22 REP. MORENO: It did not. It did not
23 have a picture of the poll tax. Why, why don't you
24 think it had a picture?

25 REP. DENNY: I don't know.



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1 REP. MORENO: The reason is that the big
2 boys in big cities used to go and buy poll taxes, buy
3 them, and at that time, there was no question because
4 the state or the county, whomever it was, was making
5 money out of the poll taxes. That is the reason. All
6 right. So now your objective is to have clean
7 elections. I am correct, right?

8 REP. DENNY: Yes, sir.

9 REP. MORENO: All right. That is also my
10 concern, to have clean elections. If that is the -- is
11 your goal, why do you think that only us Mexican
12 Americans, Chicanos, my black brothers and sisters, are
13 asking you concerned questions about this? Why do you
14 think we are?

15 REP. DENNY: I don't know, but I do know
16 that there are some of you that are in support of this
17 legislation.

18 REP. MORENO: The reason is that since
19 some of you want and it is your desire and my desire to
20 have clean elections, it is our belief, our belief that
21 what you are doing with a bill like this, you are
22 intimidating our voters into not voting. That is the
23 reason that why my black brothers and sisters and us
24 brown folks are so opposed to this bill. Would you
25 believe that?



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1 REP. DENNY: Well, I'll believe that if
2 that's what you say, but as I said, there are several of
3 the minority members here, Mr. Moreno, that are
4 supportive of this legislation.

5 REP. MORENO: Would you also believe that
6 in all my years that I've been in politics, I can swear
7 to you on my mother's grave, which is a very, very dear
8 swearing that I do, on my mother's grave, that I have
9 never, never seen a person that is not qualified to
10 vote, vote; would you believe that?

11 REP. DENNY: Of course I would. If you
12 say so, I believe you.

13 REP. MORENO: Do you have minority
14 members favoring this bill?

15 REP. DENNY: I do.

16 REP. MORENO: I do. All right. Now let
17 me ask you some other practical questions.

18 What are the ways that a person can prove
19 citizenship?

20 REP. DENNY: Prove citizenship?

21 REP. MORENO: Yes, sir, right now.

22 REP. DENNY: With a birth certificate or
23 naturalization papers.

24 REP. MORENO: Or a passport?

25 REP. DENNY: Passport, yes.



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1 REP. MORENO: All right. Now to have
2 something in you, you should have a wallet, shouldn't
3 you?

4 REP. DENNY: Well, that's one way.

5 REP. MORENO: Do you believe I do not
6 carry a wallet?

7 REP. DENNY: Sure.

8 REP. MORENO: Do you believe that I don't
9 carry a wallet because of the fact that I'm in a wheel
10 chair and it is very inconvenient to me to carry a
11 wallet, and if I

12 SPEAKER: Mr. Crabb raised the point of
13 order, the gentleman's time is expired. The point of
14 order is well taken and sustained.

15 REP. MORENO: Mr. Speaker, I want to
16 extend the lady's time.

17 SPEAKER: Mr. Moreno has requested his
18 time be extended. This requires unanimous consent.

19 REP. MORENO: Just a few more minutes.

20 SPEAKER: Excuse me?

21 REP. MORENO: Just a few more minutes.

22 SPEAKER: I understand.

23 Is there objection? There is none. Time
24 is extended.

25 REP. MORENO: All right. Three ways of



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1 voting, of proving your citizenship; a citizenship
2 certificate, passport, or birth certificate. Does a
3 birth certificate have a picture on it?

4 REP. DENNY: No.

5 REP. MORENO: Does a passport have a
6 picture?

7 REP. DENNY: Yes.

8 REP. MORENO: Does a naturalization
9 certificate have a picture?

10 REP. DENNY: I understand that the newer
11 ones does, yes, sir.

12 REP. MORENO: All right. Have you ever
13 seen a naturalization certificate?

14 REP. DENNY: Yes, I have.

15 REP. MORENO: How big are they?

16 REP. DENNY: Not too big.

17 REP. MORENO: No, you're sadly mistaken.

18 REP. DENNY: Oh, they're large?

19 REP. MORENO: No, no, no.

20 REP. DENNY: They're tiny?

21 REP. MORENO: No, no, wait, wait, no, no.

22 If you say they're small, you have never seen a
23 naturalization certificate.

24 REP. DENNY: Well then, maybe I'm
25 mistaken.



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1 REP. MORENO: No, no, they're huge.

2 They're bigger -- they're bigger than this.

3 REP. DENNY: Okay.

4 REP. MORENO: All right. Now do you also
5 know that it is illegal to copy a naturalization
6 certificate, that you cannot have in your possession a
7 copy of a naturalization certificate, that you must
8 carry the original, the original document to be valid,
9 do you know that?

10 REP. DENNY: Okay.

11 REP. MORENO: That is fact. That is
12 fact, Ms. Denny.

13 REP. DENNY: Okay.

14 REP. MORENO: So you cannot carry a
15 naturalization certificate because it is not -- it is
16 not copied, it cannot be copied.

17 You cannot carry a birth certificate, and
18 needless to say, a person in the barrio doesn't even
19 know what a passport is. Do you agree with me?

20 REP. DENNY: This does say a certified
21 copy of a birth certificate, but there are many, many
22 forms --

23 This isn't for proving citizenship,
24 Mr. Moreno, it's a photo ID or two forms of acceptable
25 non-photo ID.



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1 REP. MORENO: Right, I understand.

2 REP. DENNY: Okay, okay. I just wanted
3 to make sure.

4 REP. MORENO: But I'm talking about
5 barrio people. You see, that's the troubling with
6 people that are backing this bill. You do not
7 understand there are people in the barrio that have
8 fear, that do not trust, that do not trust governmental
9 entities and are afraid to go have a picture taken for
10 any reason.

11 REP. DENNY: You don't have to have a
12 picture taken, Mr. Moreno. This allows for a library
13 card or your Medicaid card, a Medicare card, a hunting
14 and fishing license.

15 REP. MORENO: Well again, do you know
16 that I do not have a fishing license? I do not have a
17 Medicaid card.

18 REP. DENNY: I bet you have a Medicare
19 card.

20 REP. MORENO: I don't have a -- The
21 Medicare card doesn't have a picture.

22 REP. DENNY: But you don't have to have a
23 picture.

24 REP. MORENO: Oh, so that's --

25 REP. DENNY: You can have two forms of



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1 non-photo ID.

2 REP. MORENO: Two forms; one has to have
3 a picture?

4 REP. DENNY: No.

5 REP. MORENO: None?

6 REP. DENNY: If you do not have a photo
7 ID, you can have two forms of non-photo ID.

8 REP. MORENO: So assuming I have a
9 fishing license and assuming I have a Medicaid card --

10 REP. DENNY: You can have official mail
11 addressed to the person from a governmental entity.
12 There's quite a long list of non-photo IDs that are
13 allowable.

14 REP. MORENO: Do you also know --

15 REP. DENNY: One being a utility bill, a
16 bank statement, a government check, a paycheck or other
17 government documents showing the voter's name and
18 address.

19 REP. MORENO: But see, you're assuming,
20 you're assuming sewage that everybody has these things.
21 There are many people that have been in this country, in
22 this state for hundreds of years, like Mr. Escobar's
23 family. Mr. Escobar's family has been here since the
24 1700s.

25 REP. DENNY: I understand that.



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1 REP. MORENO: They've been here for a
2 long time.

3 REP. DENNY: Does he not get any mail?

4 REP. MORENO: Well anyway, just going
5 back to my regular thing, the thing is that you're
6 trying to make clean elections, and our objection is
7 that what is happening is that by this process, you're
8 intimidating some of our folks. That is our problem,
9 but not to have crooked elections, I can assure you
10 that, Ms. Denny.

11 REP. DENNY: Thank you, Mr. Moreno.

12 REP. MORENO: Thank you.

13 REP. DENNY: We're not trying to
14 intimidate, we're just trying to make sure we're
15 safeguarding the voter's vote.

16 REP. CASTEEL: Will the gentle lady
17 yield?

18 REP. DENNY: I do.

19 SPEAKER: The lady yields.

20 REP. CASTEEL: Chairman Denny, it's my
21 understanding that you're simply trying to protect the
22 integrity of the ballot box.

23 REP. DENNY: That's exactly correct.

24 REP. CASTEEL: Not trying to prevent
25 anybody. I know you're probably too young, but I happen



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1 to remember box 22.

2 REP. DENNY: Well, yes.

3 REP. CASTEEL: And you're trying to
4 ensure that those kinds of things don't occur, is that
5 correct?

6 REP. DENNY: That is absolutely correct,
7 Ms. Casteel.

8 REP. CASTEEL: You're not trying to stop
9 anyone from voting.

10 REP. DENNY: Not at all.

11 REP. CASTEEL: Chairman, you may not know
12 this but I did go vote this past in Friday in my
13 election in New Braunfels, and I took my grandchildren
14 so they could see how it worked.

15 REP. DENNY: Good for you.

16 REP. CASTEEL: And I didn't have my voter
17 registration. So what do I have to show, some
18 identification?

19 REP. DENNY: Yes, you do.

20 REP. CASTEEL: I showed them a picture.
21 They let me vote.

22 REP. DENNY: Good.

23 REP. CASTEEL. So that's all there was to
24 it. I wasn't intimidated.

25 REP. DENNY: No.



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1 REP. CASTEEL: And that wouldn't change.

2 Thank you.

3 REP. DENNY: Thank you, Ms. Casteel.

4 I move to table the amendment and urge
5 you to vote "Yes" on the motion to table.

6 SPEAKER: Ms. Denny moves to table. The
7 chair recognizes Ms. Chavez to close.

8 REP. CHAVEZ: Thank you, Mr. Speaker,
9 members. I understand what the intent of Chairwoman
10 Denny is trying to do because none of us want to see
11 voter fraud. However, let's not throw the baby out with
12 the bath water. This amendment simply allows a voter
13 over the age of 50 to present his or her registration
14 card to verify proof of identity in order to be able to
15 vote.

16 REP. STRAMA: Will the lady yield?

17 SPEAKER: Mr. Strama, for what purpose?

18 REP. CHAVEZ: Not at this time, not at
19 this time.

20 SPEAKER: Not at this time.

21 REP. CHAVEZ: Currently to register to
22 vote, a person must supply a Texas driver's ID with the
23 license number or an ID issued by the Department of
24 Public Safety, the last four digits of a personal Social
25 Security number or a statement that the person has



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1 neither of these two items.

2 This information is in addition to the person's
3 name, date of birth, address, statement of citizenship
4 and county of residency.

5 I believe it is right for us to take into
6 consideration the history of voting in our state and the
7 fact that some of the older citizens in our state may
8 think they will be ineligible to vote if this bill
9 passes and the law is changed. I do not believe any of
10 us want someone to be discouraged from voting simply
11 because a change in the law might cause them confusion
12 and leave them susceptible to intimidation during a
13 election.

14 We need to balance the need for an accurate
15 vote with the need to protect people's rights.

16 REP. STRAMA: Will the lady yield now?

17 REP. CHAVEZ: I will yield.

18 SPEAKER: The lady yields for a question
19 Mr. Strama.

20 REP. STRAMA: With regards to the example
21 that Ms. Casteel and Ms. Denny just discussed, current
22 law already provides for ID requirements in the case
23 that the voter does not have the voter certificate,
24 isn't that correct?

25 REP. CHAVEZ: That's correct.



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1 REP. STRAMA: So currently provided
2 security and integrity in the electoral process, didn't
3 it?

4 REP. CHAVEZ: Right.

5 REP. STRAMA: And it's also the case when
6 you go to the polling place, that you have to sign in to
7 vote, is that correct?

8 REP. CHAVEZ: That's correct.

9 REP. STRAMA: And in signing in, you're
10 an affidavit that swears you are who say you are, aren't
11 you?

12 REP. CHAVEZ: That is correct.

13 REP. STRAMA: And isn't it also the case
14 that that signature is then available and is often used
15 for verification against the signature on your voter
16 registration form?

17 REP. CHAVEZ: That is correct.

18 REP. STRAMA: To verify that you are the
19 person that you said you are?

20 REP. CHAVEZ: That's the current process.

21 REP. STRAMA: That's what I thought it
22 did. Thank you.

23 REP. CHAVEZ: Thank you. So members, I
24 ask that you vote "No" on the motion to table.

25 SPEAKER: Ms. Chavez sends up an



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1 amendment. Ms. Denny moves to table. The question
2 occurs on the motion to table. It is a division vote.

3 Record vote has been requested. Record
4 vote is granted. The clerk will ring the bell.

5 (Bell ringing.)

6 SPEAKER: Show Ms. Denny voting "I."

7 (Bell ringing.)

8 SPEAKER: There being 84 "I's," 59
9 "Nay's, the motion to table prevails.

10 Following amendment. The clerk will read
11 the amendment.

12 THE CLERK: Amendment by Anchia.

13 SPEAKER: The chair recognizes
14 Mr. Anchia.

15 REP. ANCHIA: Thank you, Mr. Speaker and
16 members. I've had a really good working relationship
17 with Chairwoman Denny and I'm here to help her improve
18 her bill, and I really -- I don't want to see it go down
19 in flames so I'm here to really improve it and really
20 help improve opportunity for Texas voters.

21 What Ms. Denny's bill essentially does, it
22 invalidates what have been years and years and years of
23 the opportunity of Texas voters to bring their voter
24 registration certificate to the polling place as proof
25 of their identity, and a byproduct of the bill is that



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1 people are going to be disenfranchised, whether they're
2 students, whether they're seniors and whether they're
3 disabled.

4 Now when we were in committee, I want to give
5 people a sense of the testimony we heard in committee.
6 We heard from seniors groups, we heard of groups that
7 are advocates for disabilities and we heard from groups
8 that were for enfranchisement of students. All right.
9 They talked about all of these things.

10 What we did not hear in committee, Mr. Speaker
11 and members, we did not hear one shred of evidence that
12 proved that there was voter fraud in this state. We
13 heard anecdotes loosely discussing it, but not one study
14 was presented. No metrics were presented. No evidence
15 was presented and no proof was presented to substantiate
16 it. So much so that I had to ask the question. I asked
17 the Secretary of State's representative to come on up
18 and I asked her, I said, "Do you have any proof that
19 people are fraudulently voting in this state," and you
20 know what the representative said? No.

21 All we have heard today, and if this was a
22 court of law, this case would be thrown out on its ear
23 for lack of evidence. What we do know is that people
24 will be disenfranchised. And let me tell you a story of
25 a student. You have a student from Texas who may go,



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1 let's say, to an Ivy league school, let's say Harvard,
2 and is still registered back in Houston. The student
3 comes back to vote in a local election and comes to the
4 polling place and presents their Massachusetts driver's
5 license and their Harvard ID card.

6 Under this bill, that student would not be
7 able to vote regularly. That student would have to cast
8 a provisional ballot, and if anybody here thinks that's
9 a good result, I would ask you to think otherwise,
10 because you know what percentage of provisional ballots
11 were counted during the 2004 election? Twenty-one
12 percent. Twenty-one percent of provisional ballots were
13 counted during the last election.

14 So that effectively, 80 percent of the people
15 who cast provisional ballots were unable to cast a
16 vote.

17 Let me tell you how this might effect
18 seniors. There are many seniors in the district that I
19 represent, many of whom do not drive and do not have
20 regular forms of identification, but they still take
21 their right to vote very seriously, and they're going to
22 come to the polling place and offer their voter
23 registration certificate, they're going to pull it out
24 and it's going to be all crinkled up and they say, "You
25 know, I've been voting here for the last 50 years, you



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1 know me, I'm ready to vote," and the person at the
2 location is going to say, "You know what? Do you have a
3 piece of photo ID," and they're going to say, "No." And
4 they're going to say, "Well, you can't vote regularly,
5 you have to cast a provisional ballot."

6 So the byproduct of this is you're going to
7 have thousands and thousands and thousands of
8 provisional ballots that are not going to be counted,
9 causing people to be disenfranchised. So what my
10 amendment does is it says you can furnish either your
11 voter registration certificate, like people have been
12 doing for 50 years, or you can present some form of
13 valid photo identification, because there are some good
14 things about, about the Chairwoman's bill that I really,
15 really like, and I'd like to highlight for you.

16 I like the fact that she has extended the list
17 of eligible ID that can be presented. So what my
18 amendment does is build on that strength and say, "You
19 can present this form of ID or a voter registration
20 certificate," and I know I can tell that I'm winning
21 hearts and minds as part of my debate here, and I know
22 that my discussion is resonating to people here.

23 REP. HODGE: Mr. Speaker.

24 SPEAKER. Ms. Hodge, for what purpose?

25 REP. HODGE: Will the gentleman yield for



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1 just one question?

2 SPEAKER: Will you yield for a quick
3 question?

4 REP. ANCHIA: Ms. Hodge, let me close
5 real quick and I'll take your questions and, Ms. Hodge,
6 I'll be happy to also have my time extended. I'll make
7 that motion.

8 But let me talk to you about two more things,
9 because I think this will be important to you. You
10 know, we've recognized many people who are fighting in
11 Iraq here and they're fighting in Afghanistan, and we
12 recently had elections in Iraq and Afghanistan, and do
13 you know that Mary Denning's bill would make it harder
14 to vote in Texas than it would be to vote in Afghanistan
15 and Iraq? Because people in Afghanistan and Iraq do not
16 have to show photo ID in order to vote. So we are
17 placing a higher burden. We say we're trying to promote
18 democracy but we are hurting democracy when, in the
19 United States and the state of Texas, it would be harder
20 to vote than in a place like Iraq or Afghanistan, where
21 our young men and women are seeking to promote
22 democracy. I think that's a bad result. I yield for
23 questions.

24 SPEAKER: Yes, Ms. Hodge.

25 REP. HODGE: Thank you, Mr. Speaker, but,



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1 sir, you've already answered my question, because that
2 is what I was going to ask you. Isn't it ironic that we
3 are losing lives of young men and women in Iraq, and we
4 did in Afghanistan, and our end and ultimate goal to
5 that was for them to have freedom, democracy and the
6 right to hold an election to vote, and we are taking
7 from the people in this country what we're losing lives
8 to have in others, and that was going to be my question
9 to you.

10 REP. ANCHIA: Thank you, and this is a
11 great amendment.

12 REP. OTTO: Mr. Speaker.

13 SPEAKER: For what purpose, Mr. Otto?

14 REP. OTTO: Will the gentleman yield for
15 a question.

16 SPEAKER: Will you yield?

17 REP. ANCHIA: Yes, I yield to my freshman
18 colleague, Mr. Otto.

19 REP. OTTO: You brought up Iraq. I'm
20 just curious, would you change your amendment to have
21 where we use a purple indelible ink stain on our fingers
22 on election day, just as they did, so we know who has
23 only voted once?

24 REP. ANCHIA: You know, that amendment is
25 not on the table. It would require extra funding.



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1 You'll note that there's no fiscal note on this deal.
2 If you want to find money for that, I'm not sure that
3 that's a bad result. I would be happy to take it if you
4 would vote for this amendment, and if I could get a
5 guarantee from this body, you know, you can offer the
6 amendment up and I'll support you on it.

7 REP. OTTO: Do you know how many people
8 in Iraq have driver's licenses?

9 REP. ANCHIA: I have no idea, nor do I
10 know how much photo ID is available in Iraq, but I do
11 know that, like in Iraq, there are a lot of people here
12 in the United States that don't have those same
13 resources, don't have the resources to go out and get
14 them, and they're going to show up, Mr. Otto, on
15 election day, and they're going to say, "I've been
16 voting here for 50 years, I'm 90 years old, I don't
17 drove any more, I don't have a photo ID, but here's my
18 voter registration card and I fought to get this and I
19 want to vote today." And you know what they're going to
20 say? "Cast a provisional." Only 20 percent of those
21 are counted, and I don't think that's a good result for
22 people who are legitimately here, especially Mr. Otto,
23 when we don't have any evidence in the record, Mr. Otto,
24 we don't have any record, any evidence in the record to
25 support this restriction on Texan's right to vote.



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1 REP. OTTO: Thank you.

2 SPEAKER: For what purpose, Mr. Strama?

3 REP. STRAMA: To ask the gentleman a
4 question?

5 SPEAKER: Do you yield?

6 REP. ANCHIA: Not to Mr. Strama. No, I
7 yield, I yield, I yield.

8 REP. STRAMA: I'm Patrick (Inaudible.)
9 I'm just kidding. In South Africa, they used a form of
10 indelible ink to make sure people didn't vote more than
11 once as well, isn't that correct?

12 REP. ANCHIA: I don't know that but I'll
13 take your word for it.

14 REP. STRAMA: Do you know that I was
15 asked actually by some international foundation to go be
16 an election observer at the Iraq election?

17 REP. ANCHIA: I think you mentioned that.

18 REP. STRAMA: Do you know that they
19 allowed you to register to vote at the polling place in
20 those elections?

21 REP. ANCHIA: I did not know that.

22 REP. STRAMA: And in the South African
23 elections as well, because if the indelible ink is there
24 to protect against anybody voting more than once would
25 solve the problem, would you support a indelible ink



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1 marker on same day voter registration, would you support
2 that?

3 REP. ANCHIA: Oh, absolutely, I think
4 same day voter registration is a good result.

5 REP. STRAMA: So would I.

6 REP. ANCHIA: I move adoption of my
7 amendment.

8 SPEAKER: Mr. Doorkeeper, do we have any
9 good news from the Senate?

10 NEW SPEAKER: Mr. Speaker, I have a
11 message here from the Senate to the door of the House.

12 SPEAKER: Messenger?

13 DOORKEEPER: Mr. Speaker, I'm directed by
14 the Senate to inform the House the Senate has taken the
15 following action. The Senate passed the following
16 measure: HCR 136, Kemple, Sponsor Wentworth, May, 2000.

17 SPEAKER: The Chair recognizes Ms. Denny
18 in opposition to the amendment.

19 REP. DENNY: Thank you, Mr. Speaker.
20 Members, I know Mr. Anchia means well but I don't want
21 to restrict in any way the intent of this bill.
22 Members, students in Massachusetts that would go to the
23 trouble to change their driver's license to a
24 Massachusetts driver's license would probably already
25 have thought to change their voter registration to



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Massachusetts as well, so I don't think that that would be an issue that would be a big problem here.

Yes, Mr. Strama.

REP. STRAMA: Mr. Speaker.

SPEAKER: For what purpose, Mr. Strama?

REP. STRAMA: Will the lady yield for a question.

SPEAKER: Do you yield for a question?

REP. STRAMA: I certainly do.

SPEAKER: The lady yields.

REP. STRAMA: Do you accept the long line of jurisprudence that says that a student in Massachusetts whose residence is Austin, Texas is allowed to vote in Austin?

REP. DENNY: Yes; if they want to vote in Austin, Texas as a student and retain their voters registration here, of course, that's not a problem.

REP. STRAMA: But they might still have a Massachusetts driver's license, right?

REP. DENNY: They might, but there are many other forms of ID that are available under this bill.

REP. STRAMA: Well, of course, a lot of forms of those ID might be in their parents' name.

REP. DENNY: No, they have their own ID.



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1 REP. STRAMA: Let me just make clear
2 something you just said. You just said that if students
3 in Massachusetts who have gotten their driver's license
4 in Massachusetts would probably have gone ahead and
5 changed their voter registration.

6 REP. DENNY: They probably would have.

7 REP. STRAMA: But they are not at all
8 required to do that by this bill.

9 REP. DENNY: No, they're not at all by
10 law required, but they're going to have, under this list
11 that this bill allows for, plenty of ID under this bill
12 that will allow them to vote in either Massachusetts if
13 they change their voter registration there, not that
14 this bill would apply to Massachusetts, but in Texas, if
15 they want to keep it here.

16 REP. STRAMA: And would you believe that
17 we ought to allow them --

18 The purpose of the ID is to ensure that
19 the person's whose name is on the list is the person who
20 is presenting themselves to vote, is that correct?

21 REP. DENNY: Absolutely, that's correct,
22 Mr. Strama.

23 REP. STRAMA: Okay. And the signature is
24 not enough any more. Now we have to have some form of
25 paper that proves that they are who they say they are.



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1 That's the purpose of bill.

2 REP. DENNY: That's correct.

3 REP. STRAMA: And so it can either be one
4 photo ID or two forms of paper ID.

5 Why can't it be their out of state student's
6 ID? If you accept that they're legal voters in Texas,
7 why can't their student ID be sufficient to prove that
8 they are who they say they are?

9 REP. DENNY: Because it may not be that
10 they're a student there any longer.

11 REP. STRAMA: I'm sorry?

12 REP. DENNY: They may not --

13 It might not have been a current student ID.

14 REP. STRAMA: What if it is a current
15 student ID and they are presenting themselves to vote
16 and it's a student ID from outside the state but they're
17 legal voters on Texas, they're on the list, they've got
18 a residence address, they meet all the jurisprudential
19 standards for residency, shouldn't they be allowed to
20 vote here?

21 REP. DENNY: Yes, that is a possibility;
22 however, there are many other forms of ID that are on
23 the list, and being from an out of state, an ID from an
24 out of state college is not one of them.

25 REP. STRAMA: Okay, so I just want to



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1 make very clear on intent; that there is no intent to
2 change residency requirements for purposes of voting in
3 this legislation?

4 REP. DENNY: That's correct.

5 REP. STRAMA: Thank you.

6 REP. DENNY: Thank you. I move to table
7 the amendment, and the list is quite extensive. You
8 have it in front of you and I hope you will stick with
9 me. Please vote "Yes" on the motion to table.

10 SPEAKER: Ms. Denny moves to table. The
11 Chair recognizes Mr. Anchia to close.

12 REP. ANCHIA: Thank you Mr. Speaker,
13 members, I really do want to help Chairwoman Denning's
14 bill. I mean, I think -- I think it does have quite a
15 few redeeming qualities.

16 I think by voting for my amendment, you're
17 voting for the side of enfranchising people, you are
18 voting on the side of making it easier to vote in
19 connection with and consistent with the Help America
20 Vote Act.

21 Keep in mind that the Help America Vote Act
22 did not take this position. We are making it more
23 restricted. This is not the Hurt America Vote Act, this
24 is the Help America Vote Act, and this amendment expands
25 the ability of people to vote in this state. I think



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1 that's a good result.

2 I think you should be on the side of helping
3 people to vote, and our chairwoman made an interesting
4 observation, at 2:59 p.m., because I was looking at the
5 clock and I noticed it. She said that this bill will be
6 more difficult for some people than others to comply
7 with. She made that admission at 2:59 p.m., that it is
8 going to be difficult for some people to comply with
9 this bill, so if we are consistent with the spirit of
10 Help America Vote Act, we are consistent with the spirit
11 of enfranchising people, then we will vote to adopt this
12 amendment.

13 I will also point out one thing, one further
14 thing. Chairwoman Denning's bill will not stop fraud.
15 If a person wanted to commit fraud, they would simply
16 have forged documents. If a person wants to vote
17 illegally, the laundry list of documents that she
18 presents offer easy opportunities for forgery, and we
19 know how well poll workers are trained. We know what
20 their abilities might be in discerning a fraudulent
21 document from a real document, so the red herring here
22 or the straw man here is that Chairwoman Denning's bill
23 will stop fraud. It will not stop fraud. The fact that
24 we have no evidence of fraud in the record, I think,
25 should weigh heavily --



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1 REP. THOMPSON: Mr. Speaker?

2 SPEAKER: For what purpose,

3 Ms. Thompson?

4 REP. ANCHIA: -- to adopt my amendment.

5 REP. THOMPSON: Will the gentleman yield?

6 SPEAKER: Will you yield?

7 REP. ANCHIA: Yes, he will.

8 SPEAKER: Yes, the gentleman yields.

9 REP. THOMPSON: Are you on this
10 committee?

11 REP. ANCHIA: I'm sorry?

12 REP. THOMPSON: Were you on this
13 committee?

14 REP. ANCHIA: I was on this committee,
15 Madam Chair.

16 REP. THOMPSON: And you heard this bill?

17 REP. ANCHIA: We heard this bill. I
18 heard the testimony.

19 REP. THOMPSON: Okay. Do you recall when
20 you first arrived here, that there was a contest on the
21 Vo election and it was based on fraud?

22 REP. ANCHIA: Yes. You raise a very
23 interesting point. The Vo/Heflin election is probably
24 the best evidence that we can have of whether or not
25 there was voter fraud.



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1 Like we have heard today, we heard wild
2 allegations that voter fraud existed. We heard of
3 people who are dead who had voted in that race. We
4 heard about people who may have not been the persons
5 that voted. We heard wild allegations about voter
6 fraud. You know what, you know what happened, Madam
7 Chair.

8 REP. THOMPSON: What did the evidence
9 show?

10 REP. ANCHIA: I'm sorry?

11 REP. THOMPSON: What did the evidence
12 show?

13 REP. ANCHIA: The evidence showed quite
14 to the contrary.

15 REP. THOMPSON: No fraud.

16 REP. ANCHIA: No fraud.

17 REP. THOMPSON: Are you aware of the fact
18 that this is the same bill that was filed in the state
19 of Georgia?

20 REP. ANCHIA: I am aware of that.

21 REP. THOMPSON: Are you aware that this
22 was the same bill that was filed in the state of
23 Wisconsin.

24 REP. ANCHIA: That the Governor vetoed, I
25 am aware of that.



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1 REP. THOMPSON: And this is the same bill
2 that has filed in several states around the United
3 States?

4 REP. ANCHIA: Yes I'm aware of that.

5 REP. THOMPSON: And is all sponsored by
6 the Republican party.

7 REP. ANCHIA: I'm not aware of the
8 sponsors. I think it's bad policy whether it's in
9 Georgia, Wisconsin or anywhere else. I think we should
10 be -- Texas is a special state. We should be on the
11 side of voters here and we should be on the side of
12 enfranchising and not disenfranchising people.

13 REP. THOMPSON: Are you aware that --
14 Do we have any laws that punish people for
15 voter fraud?

16 REP. ANCHIA: Absolutely, and quite
17 stringent laws. In fact, there have been quite a few
18 penalty enhancements that I've supported while I've been
19 on the committee in order to punish those bad actors. I
20 think what you have here is a ghost that people are
21 trying to shoot at.

22 REP. THOMPSON: You mean we have
23 something in place that would punish people now?

24 REP. ANCHIA: Absolutely.

25 REP. THOMPSON: You're kidding us?



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1 REP. ANCHIA: No, I'm not.

2 REP. THOMPSON: This body doesn't know
3 that, I'm sure.

4 REP. ANCHIA: Mr. Speaker and members, I
5 ask that you help improve this bill, that you stand with
6 me on this vote and you stand on the side of making it
7 easier in Texas to vote, making it easier for the
8 elderly, for the disabled and for students to vote in
9 this state. Please support my amendment.

10 SPEAKER: Mr. Anchia sends up an
11 amendment. Ms. Denny moves to table. The question
12 occurs on the motion to table. It is a division vote.
13 Those in favor of the motion to table, vote "I," those
14 against, vote "No."

15 SPEAKER: Record vote has been requested
16 and granted. The clerk will ring the bell.

17 (Bell ringing.)

18 SPEAKER: Show Ms. Denny voting "I."

19 (Bell ringing.)

20 SPEAKER: Show Mr. Anchia voting "Nay."

21 (Bell ringing.)

22 SPEAKER: Have all voted? There being 75
23 "I's," and 62 "Nay's," the motion to table prevails.

24 The following amendment. The clerk will read
25 the amendment.



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1 Mr. Uresti for recognition.

2 REP. URESTI: Thank you, Mr. Speaker,
3 members. Representative Denny and I would like to
4 introduce some folks from the Bexar County Deputy
5 Sheriff's Association with their president, Aubrey
6 Walker, and the chairman Hector Garcia Delgado.

7 Gentlemen and ladies, would you all please
8 stand up and be recognized. Members, would you please
9 help me welcome our sheriff deputies, and it's
10 acceptable the author. Thank you.

11 SPEAKER: The following amendment. The
12 clerk will read the amendment.

13 CLERK: Amendment by Ramond.

14 SPEAKER: The Chair recognizes
15 Mr. Raymond.

16 REP. RAYMOND: Thank you, Mr. Speaker,
17 members. Members, this would simply insert the language
18 between Department of Public Safety and that by
19 inserting, "Or the equivalent agency of another state,"
20 and this would primarily be for the benefit of out-of-
21 state students, and it's acceptable to the author at
22 this time.

23 SPEAKER: Mr. Raymond sends up an
24 amendment. The amendment is acceptable to the author.
25 Is there objection to adoption?



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1 Hearing none, the amendment is adopted.

2 The following amendment. The clerk will read
3 the amendment.

4 CLERK: Amendment by Strama.

5 SPEAKER: The Chair recognizes
6 Mr. Strama.

7 REP. STRAMA: Thank you, Mr. Speaker.
8 I'm going to give Representative Chairwoman Denny a
9 minute to take a look at what this one does. I'm hoping
10 this one will be acceptable. We had a discussion a
11 moment ago about students who go to school out of state
12 but who are, of course, eligible and entitled to vote
13 here in Texas.

14 I used to manage a national voter registration
15 campaign called Rock the Vote, which particularly
16 focused on the registration of college students and
17 other young people to participate in our elections.
18 They are the demographic group with the lowest rate of
19 voter turnout. There's been some trending in the right
20 direction on this. What we need to do is to make sure
21 that these students are not disenfranchised by this
22 bill. We need to make sure that out-of-state students,
23 students who go to school out of state but who are
24 allowed to vote in Texas because their residency is here
25 in Texas, their parents are here in Texas, they have the



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